



June 26, 2023

VIA ELECTRONIC MAIL

Hon. Michelle L. Phillips, Secretary

New York State Public Service Commission

3 Empire State Plaza

Albany, New York 12223-1350

[secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Re: Case 23-E-0070 – Proceeding on Motion Proceeding on Motion of the Commission to Address Barriers to Medium- and Heavy-Duty Electric Vehicle Charging Infrastructure.**

Dear Secretary Phillips:

Advanced Energy United (United) and the Alliance for Clean Energy New York (ACE NY) submit for filing the attached reply comments in response to the Order Instituting Proceeding and Soliciting Comments in the Proceeding to Address the Electrification Needs of the State's Medium- and Heavy-Duty Electric Vehicle Sector filed with the New York State Public Service Commission (Commission) on April 20, 2023, in the above referenced proceeding.

Respectfully submitted,

/s/ Ryan Gallentine

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/s/ Deb Peck Kelleher

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State of New York  
Public Service Commission

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In the Proceeding on Motion of the Commission to Address  
Barriers to Medium-and Heavy-Duty Electric Vehicle Charging  
Infrastructure

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Case 23-E-0070

June 26, 2023

**Reply Comments of Alliance for Clean Energy New York and  
Advanced Energy United on the Order Instituting Proceeding  
and Soliciting Comments in the Proceeding to Address the  
Electrification Needs of the State’s Medium- and Heavy-Duty  
Electric Vehicle Sector**

**Introduction**

Advanced Energy United (United) is a national association of businesses that works to accelerate the move to 100% clean energy and electrified transportation in the U.S. Advanced energy encompasses a broad range of products and services that constitute the best available technologies for meeting our energy needs today and tomorrow. These include electric vehicles, energy efficiency, demand response, energy storage, solar, wind, hydro, nuclear, and smart grid technologies. United represents more than 100 companies in the \$374 billion U.S. advanced energy industry, which employs 3.2 million U.S. workers, including 157,000 individuals in the Empire State.

The Alliance for Clean Energy New York (ACE NY) is a member-based organization with a mission of promoting the use of clean, renewable electricity technologies and energy efficiency in New York State to increase energy diversity and security, boost economic development, improve public health, and reduce air pollution. ACE NY’s diverse membership includes companies engaged in the full range of clean energy technologies as well as consultants, academic and financial institutions, and not-for-profit organizations interested in their mission.

United and ACE NY offer the following brief reply comments on selected questions and aspects of Electrification Needs of the State's Medium- and Heavy-Duty Electric Vehicle Sector

## **Comments**

### **Question 1. What are the specific challenges to developing charging infrastructure for medium- and heavy-duty (MHD) vehicles?**

As we stated in our response to Question 9, we support reducing the costs and timeline for grid infrastructure development to support MHD EV charging. In fact, we believe distribution system upgrade timelines are the greatest barrier to be addressed in this proceeding. In principle we support ChargePoint's support for the concept adopted by the Colorado legislature granting utilities the ability to recover costs of transformer equipment in inventory if it is used within five years. While we decline to advocate for specific items or timelines, we believe this is an illustrative example of the kind of forward looking utility business model reforms that will be required to match the pace of electrification required by the state's goals.<sup>1</sup> We continue to support changes to the Public Service Law that allow for the investment in grid infrastructure in high-priority locations as was put forth in legislation in New York State this year.<sup>2</sup>

### **Question 5: What considerations should Staff take regarding incentivizing infrastructure siting and MHD charging to mitigate impacts in Disadvantaged Communities overburdened by truck and bus traffic and pollution?**

In our Initial comments we supported actions that would reduce fossil fuel truck traffic in disadvantaged and overburdened communities. Several commenters were also supportive of this, including Tesla, City of New York, Livingston, Powerflex, Convergent Energy and Power, Earth Justice and Sierra Club. We are supportive of the New York Power Authority's (NYPA) suggestion that if the Commission is considering an incentive bonus or program requirement regarding Disadvantaged Communities (DACs) that only one of the following criteria should be required – either the depot locations or the routes traveling through or stopping in DACs.<sup>3</sup>

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<sup>1</sup> ChargePoint Comments in Response to The Public Service Commission's Order Instituting Proceeding and Soliciting Comments,  
<https://documents.dps.ny.gov/public/MatterManagement/MatterFilingItem.aspx?FilingSeq=307564&MatterSeq=69967>

<sup>2</sup> Bill S.4830-C/A.5052-C, Establishes a highway and depot charging needs evaluation.  
<https://www.nysenate.gov/legislation/bills/2023/S4830>

<sup>3</sup> Initial Comments of The New York Power Authority on The Public Service Commission's Order Instituting Proceeding and Soliciting Comments, p.3.  
<https://documents.dps.ny.gov/public/MatterManagement/MatterFilingItem.aspx?FilingSeq=307569&MatterSeq=69967>

**Question 7a. Provide comments on how to address the barriers to building publicly accessible charging that serves MHD vehicles (e.g., highway truck stops).**

We support Livingston Energy Group suggestion to create a statewide permitting process for public charging infrastructure. It will be important to include municipalities in the design of any statewide process but steps to streamline the installation process will reduce costs and speed deployment.<sup>4</sup>

**Question 11a. Is vehicle-grid integration technology at a sufficient level of maturity to impact short-term planning considerations? If so, describe how; if not describe why not.**

Although some commentors were not convinced of the maturity of the technology for bidirectional charging or vehicle-to-grid, we think that certain bidirectional applications, such as school buses, could address many of the barriers that were raised in the initial comments. We support regulatory steps by the Commission to create the necessary rates and protocols to allow fleet operators to realize those potential benefits. The State has recently set purchase and fleet turnover requirements for all school buses, with only Zero Emission Vehicles (ZEVs) buses sold after 2027 and a mandate for all school bus fleets to be ZEV by 2035. These requirements will result in school buses being the first to electrify in the State, and by their use patterns, will allow for vehicle-to-grid applications during the summer months.

**Conclusion**

We appreciate the opportunity to provide these brief reply comments on the in response to the Order Instituting Proceeding and Soliciting Comments in the Proceeding to Address the Electrification Needs of the State's Medium- and Heavy-Duty Electric Vehicle Sector and look forward to the Commission's order on this matter. Please do not hesitate to reach out with any questions.

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<sup>4</sup> Livingston Energy Group Comments on Motion of the Commission to Address Barriers to the Medium and Heavy Duty Electric Vehicle Charging Infrastructure,  
<https://documents.dps.ny.gov/public/MatterManagement/MatterFilingItem.aspx?FilingSeq=307576&MatterSeq=69967>